



FREMONT PLANNING BOARD

January 9, 2008

Meeting Minutes

Approved January 23, 2008

Present: Chairman Roger Barham, Co-Chair and CC Rep. Jack Karcz, Selectmen Peter Bolduc, Members Mark Pitkin and Leon Holmes, Jr., Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.

Also present: John (Jack) Downing.

Mrs. Bolduc introduced Mr. Downing and related that he is interested in becoming a member of the Planning Board. Mr. Downing is a long time resident of Fremont and has previously served on several boards including the Planning Board. Mr. Downing agreed to sit in on a few meetings.

Mr. Barham called the meeting to order at 7:05 pm.

MINUTES

Mr. Karcz made the motion to approve the minutes of the December 12, 2007 meeting as written.

Motion seconded by Mr. Holmes with unanimous favorable vote except for Mr. Bolduc and Mr. Pitkin who abstained as they were not present at that meeting.

Mr. Karcz made the motion to approve the minutes of the December 19, 2007 meeting as written.

Motion seconded by Mr. Bolduc with unanimous favorable vote except for Mr. Holmes who abstained as he was not present at that meeting.

PJP, INC.

GRAVEL OPERATION

Map 2 Lot 151.2

Mr. Barham reported that the PJP, Co. Inc. Excavation permit renewal application for 2008 has been received. The application is dated December 28, 2007 and the anniversary renewal date is March 28, 2008. It was noted that a site visit was conducted in March of 2007 and at that time it was found that the road that goes behind the ledge was closer than 100' to the wetland and silt fence should be placed in that area along the road. A letter was subsequently sent to PJP, Inc. requiring that silt fences be immediately installed in the aforementioned area.

After some discussion it was agreed that a site visit be conducted at a later date when the ground clears a little.

There was a discussion relative to changing the anniversary dates of all existing excavation operations to sometime in the Spring – Fall months and having them all come due at the same time. Subsequently, all new excavation operations would also have the same anniversary date. The RSA's will be consulted

to see if this is possible. It was agreed that site visits are difficult in the winter months when the ground is snow covered.

There was also a discussion on test pits relative to gravel operations. Mr. Bolduc stated that most of the pits try to follow the regulation guidelines. After some discussion it was the consensus of the Board that at least one test pit be required to demonstrate that work being performed on the site is consistent with the approved excavation and properly maintains required depth to seasonal high groundwater (ESHWT), more than one test pit might be required if the owner's Engineer believes it is necessary. Test pits are witnessed by the Code Enforcement Officer or Planning Board designee. A test pit report is to be submitted with each excavation permit renewal application. The owners of all excavation operations in Fremont will be sent a written notification of this decision.

MAGNUSSON, C.L.
GRAVEL OPERATION
Map 2 Lot 070

Mr. Barham reported that the C. L. Magnusson Excavation permit renewal application for 2008 has been received and will be reviewed. The application is dated December 18, 2007 and the anniversary renewal date is April 1, 2008. It was agreed that Mr. Magnusson would be made aware of the test pit requirement. After some discussion it was agreed that a site visit be conducted at a later date when the ground clears a little.

ZONING AMENDMENTS/ORDINANCE PUBLIC HEARING
Signs; Currently Article III Section 3
Public present: Jack Downing

Mr. Barham opened this second Public Hearing at 7:35 pm and read the public notice of the hearing which was as follows:

In accordance with NH RSA 675:6 and 675:7 you are hereby notified that the Fremont Planning Board will hold a first Public Hearing on Wednesday December 19, 2007 at 7:30 pm in the downstairs Land Use meeting room at the Fremont Town Hall to consider a proposed replacement to "sign types" in the Fremont Zoning Ordinance currently Article III Section 3. A second Public Hearing, if necessary, will be held at 7:30 p.m. on Wednesday January 9, 2008 in the downstairs Land Use meeting room at the Fremont Town Hall. The public is invited to attend. The full text of the proposed zoning amendment will posted at the Fremont Town Hall, Library, Safety complex, and Post office and on file in the offices of the Selectmen, Planning/Zoning and Town Clerk and can be viewed during regular business hours.

Full Text:

1. Are you in favor of amending Article III Section 3 of the Fremont Zoning Ordinance to read as follows:

Fremont Sign Ordinance

Draft 12/04/2007

1.1. PURPOSE

This ordinance regulates all new or materially altered signs in the Town of Fremont.

- A. The primary purpose of a sign is to convey information.
- B. Depending on their size, density (of both the letters on individual signs as well as overall signage in the town), and character, signs may attract or repel visitors, affect the visual quality enjoyed daily by residents, affect the safety of vehicular traffic, and define the character of the area. Thus signage may impact prosperity, aesthetics, public health, safety and welfare.

This ordinance does not regulate the specific content of signage. This ordinance only regulates aspects of the time, place and manner of signage for the following purposes:

- 1) Maintain and enhance the visual quality or aesthetics of the community;
- 2) Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs;
- 3) Improve motorist safety by encouraging fewer words per sign;
- 4) Protect and enhance the visual and scenic quality of the community's night sky by limiting light pollution emitted from signs and restricting the hours of lighting of signs;
- 5) Protect and enhance economic viability by assuring that Fremont will be a visually pleasant place to live, work and shop;
- 6) Protect property values and private/public investments in property;
- 7) Protect scenic views of the natural landscape and significant historical areas of the Town of Fremont, which contribute to both the economic viability of Fremont and the welfare of its residents;
- 8) Avoid personal injury and property damage from structurally unsafe signs; and
- 9) Provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention.

1.2 DEFINITIONS

Abandoned sign. An abandoned sign is:

- a) Any sign that does not display a well-maintained message for a consecutive one hundred and twenty (120) day period;
- b) Any sign the owner of which cannot be located after reasonable efforts have been made; or
- c) Any sign no longer fully supported, by the structure designed to support the sign, for a consecutive one hundred and twenty (120) day period.
- d) Any sign no longer advertising bona fide business and or products sold.

Agriculture. Land and associated buildings whose primary use is to produce crops or livestock or to provide boarding or storage facilities for agricultural products or animals.

Billboard. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Directional sign. A sign on private property without a commercial message that gives direction such as entrances, exits, or street numbers.

Electronic message board. A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign which does not display any other changeable message shall not be considered an electronic message board.

Government sign. A sign authorized by this municipality, another governmental agency, the State of New Hampshire, or the federal government.

Inflatable advertising device. An air-filled or helium-filled structure – including, but not limited to those in the likeness of a figure such as an animal, character, or hot air balloon – intended to draw attention to a particular business.

Materially altered. Any change in construction materials for the supporting structures, location, lighting or form (shape, proportions) but not changes in content or wording. Reuse of the same supporting structure and replacement with a new sign of the same dimensions of the previous sign by a new tenant that does not change construction materials of the supporting structures, location, lighting, or form shall not be considered materially altered.

Person. Any individual or entity, including a firm, partnership, association, corporation, limited liability company, trustee, and their legal successors.

Political sign. Banners, placards, roadside signs and the like promoting political candidates or positions on political issues.

Promotional sign. A sign that advertises a special or temporary event.

Roof sign. A sign erected, constructed, or maintained upon, or which projects above the roofline of a building.

Sandwich-board sign. Any A-frame style sign, typically temporary and portable, having two sides, and less than six (6) square feet in total surface area per side.

Seasonal sign. A sign that specifically relates to one of the seasons of the year, including but not limited to the harvest season of a particular agricultural product of a seasonally-based recreational activity.

Sign. An object, including a structure, movable object, wall or image displaying any message visible to the public. Notices legally placed on public property and removed on a daily basis are not considered signs. Letters or numbers individually painted on or attached to a face of a building that identify only the address of the occupant are not considered a sign.

Signs, permitted with a permit. The following sign types are permitted with a permit, and are defined in section 1.5 of this ordinance: Awning Signs, Freestanding Post Signs, Hanging or Suspended Signs, Monument Signs, Multi-Tenant Signs, Pole Signs, Projecting Signs, Residential Subdivision Signs, Wall Signs, and Window Signs.

Special event sign. A sign for events such as festivals, benefits, and other limited term events.

1.3 **SIGNS AUTHORIZED WITHOUT A SIGN PERMIT:**

Subject to other applicable requirements and permits, the following signs are authorized **without a permit**:

- A. **Small signs.** Personal, non-commercial, signs are permitted, provided they are not illuminated.
- B) **No trespassing signs** may be posted as follows, pursuant to this ordinance and RSA 635:4.
- C) **“For Sale” signs.** Signs pertaining to the lease, sale, or use of the land or buildings on which it is placed, including signs advertising products or articles sold or produced on the premises may be posted, provided they are not illuminated.
- D. **Governmental signs.** Governmental signs do not require a permit. These signs include highway, park, or other regulatory or informational signs of municipal, county, state or local government.
- E. **Directional signs.** Signs that provide driving directions do not require a permit; however, only one entrance/exit sign is allowed per legal driveway and a directional sign may not exceed 1.5 square feet not block the sightlines of drivers entering or exiting the property.
- F. **Warning signs.** Signs exclusively devoted to warning the public of dangerous conditions and unusual hazards such as drop offs, high voltage, fire danger, and explosives do not require a permit. Warning signs shall not exceed three square feet.
- G. **Historical, Cultural and Natural Site signs.** A sign erected by a governmental agency, which exclusively denotes a recognized historical, cultural or natural site, does not require a permit. This sign shall not exceed three square feet unless otherwise provided by state or federal law.
- H. **Banners.** Banners used on a private residential property, such as those used for family events or birthdays, do not require a permit so long as they remain in place for no longer than seven day. Banners shall be no larger than thirty (30) square feet. For example, a banner with dimensions of three (3) feet by ten (10) feet, or five (5) feet by six (6) feet, or two (2) feet by fifteen (15) feet would be permitted. Banners used by a non-profit organization for a special event coordinated with the Town do not require a permit, so long as they do not obstruct the view of motorists and remain in place no longer than seven (7) days.

- I. **Political signs.** Political signs, during periods specified by the Board of Selectmen, do not require permits. Political signs should not be placed in areas where they will create a traffic safety hazard due to obstruction of the sightlines at intersections or driveways. **Political signs are not regulated by this ordinance. Please refer to RSA664:17.**
- J. **Flags.**
 - 1) **Governmental flags.** National, state, and local flags do not require a permit. A flagpole may not exceed thirty (30) feet above ground level for the purposes set forth in this ordinance.
 - 2) **“Open” flags.** Flags noting that a business is open to customers do not need a permit provided that they are put up and taken down consistently with the hours of operation of any business that displays them. Open flags shall be no larger than nine square feet.

1.4 **PROHIBITED SIGNS**

- A. **Inflatable advertising devices.** Inflatable devices, such as, but not limited to, inflatable animals, characters, or large balloons, shall not be allowed in the village district or the Flexible Use Residential District due to their negative effect on the scenic and aesthetic qualities of the town and potential safety hazard. An individual balloon or group of balloons, which when inflated, no dimension of which is greater than two (2) feet, placed at a height no greater than twelve (12) feet above ground level, is permitted so long as the balloon(s) does not become a safety hazard by obstructing the view of motorists or remain in place longer than seven (7) days.
- B. **Billboards.** No billboard not existing at the time of the adoption of this ordinance shall be permitted. A billboard is defined as that type of sign that advertises goods, products, merchandise, business, or any other sort of enterprise or adventure not actually available at the premises where the billboard is located.
- C. **Portable sign.** A portable sign not permanently attached to the ground or other permanent structure and designed to be transported by means of wheels shall be prohibited.
- D. **Vehicles.** No vehicle which is used primarily as an advertising display may be parked on any street or parking lot or any place within the Town of Fremont, except vehicles displaying temporary political advertising that shall be placed and removed within the period designated by the Board of Selectmen for each election. For the purposes of the subparagraph “vehicle” includes but is not limited to vans, trailers, automobiles or trucks with signs or placards on their exterior or interior.
- E. **Electronic message boards and flashing signs.** Signs containing electronic message boards shall be prohibited. Signs that flash, rotate, or otherwise create movement are prohibited. This includes time/temperature signs.
- F. **Sandwich/Sidewalk Signs.** A moveable sign not secured or attached to the ground or surface upon which it is located. Typically an advertising sign constructed to form an “A” or a tent-like shape.
- G. **Signs in the Right-of-Way:** No signs shall be allowed in the Town or State Right-of-Way.
- H. **Highly Reflective and Fluorescent Signs.** Signs made wholly or partially of highly reflective materials and/or fluorescent or day-glow painted signs.
- I. **Pole Signs:** A sign that is supported by, or suspended from one free-standing column.

1.5 **SIGNS AUTHORIZED WITH A PERMIT: SIGN STANDARDS BY SIGN TYPE**

This section is intended to be used in conjunction with other standards contained in this sign ordinance. In no case may the maximum number or size of signs, or their illumination, exceed the standards provided by Section 1.6, Additional Sign Regulations.

A. Wall Signs

- 1. **Definition.** A sign attached to, painted upon, placed against, or supported by the exterior surface of any building.

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2. **Signage Guidelines.** Wall signs include most types of signage that are attached to the face of a building will. These include channel letter made out of wood, metal or plastic. Wall signs may be painted on a wall, or on a board that is attached to a wall. Wall signs should be oriented to achieve balanced composition and harmony with other architectural elements of a building façade. Wall signs should be placed on a flat building surface and should not be placed over or otherwise obscure architectural building features.
3. **Location and Number Permitted.** Wall signs must be located on a building face that has a public entrance. The maximum number of wall signs permitted is one (1) per tenant space.
4. **Size.** Wall signs shall not exceed an area of one half (½) of a square foot of sign for every one (1) linear foot of building (or business) facing the street. Wall signs with changeable copy are limited to fifty (50%) percent of the total sign area.
5. **Zoning.** Wall signs are allowed in Village, Corporate Commercial and Commercial Highway districts.

B. Window Signs.

1. **Definition.** A sign affixed to the interior or exterior of a window or placed immediately behind a windowpane so as to attract the attention of person outside the building.
2. **Signage Guidelines.** Window signs should be scaled to the pedestrian and oriented to window shopper on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or to provide information. A window sign should not **obscure the view into a store or place of business.**
3. **Location and Number.** There is no specific location requirement or limit to the number of window signs allowed. A window sign is a sign that is painted on or attached to a window and located within twelve (12) inches of the face of a window. Window signs do not include business hours of operation or open/closed signs. Window displays, including merchandise displays, graphics and text, that are located more than twelve inches from the face of a window are not considered signs.
4. **Size.** Sign coverage on an individual window may cover up to a maximum of twenty-four (24) square feet or fifteen (15%) percent of each window area, whichever is less.
5. **Zoning.** Window signs are allowed in Village, Corporate Commercial and Commercial Highway districts.

C. Awning Signs.

1. **Definition.** A sign incorporated into or attached to an awning.
2. **Signage Guidelines.** Signs on awnings should be minimized and are only appropriate if there are no good alternatives for wall signs, projecting signs or hanging and suspended signs. Signage should be limited to the skirt of the awning and should not be on the awning face. Signs should only be considered for the awning face if there is no other adequate location for the signage on a given storefront or property. Backlit translucent awning signs are not allowed.
3. **Location and Number.** Signs may be located on awnings subject to size criteria. One (1) awning sign is permitted per tenant space and must maintain a minimum clearance of eight (8) feet above any public right-of-way or private sidewalk area.
4. **Size.** Signs on Awnings shall only be located on the skirt or vertical face and may only be a maximum of one (1) foot high. Awning signs shall not exceed twelve (12) square feet, as shown in the figure below.
5. **Zoning.** Awning signs may be located in Village, Corporate Commercial and Commercial Highway zones.

D. Projecting Signs.

1. **Definition.** A sign affixed to any part of a building or a structure that extends beyond the building or structure by more than twelve (12) inches.
2. **Signage Guidelines.** Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are very effective when oriented to the pedestrians on the sidewalk level. Appropriate materials include wood and metal with carved or applied lettering, or any other material that is architecturally compatible with the building that the sign is attached to. Multiple projecting signs should not be installed within ten (10) feet of each other if on the same property and should be separated from projecting signs on adjacent properties by ten (10) feet to ensure proper visibility.

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3. **Location and Number.** Projecting signs must be attached to building facades that have a public entrance and must maintain a minimum clearance of eight (8) feet above the public right-of-way or private sidewalk area. One (1) projecting sign is allowed per tenant space.
4. **Size.** Projecting signs may have a maximum area of eight (8) square feet.
5. **Zoning.** Projecting signs are allowed in the Village, Corporate Commercial and Commercial Highway districts.
6. **Exception:** The Planning Board, at its' determination through Site Plan Review, may determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.

E. Hanging and Suspended Signs.

1. **Definition.** A sign that is suspended parallel, or perpendicular from a building wall, roof, façade, canopy, marquee, or porch by means of brackets, hooks or chains and the like.
2. **Signage Guidelines.** Hanging signs, or suspended signs, are used to help define entries and identify business names to pedestrians. They are small and can hang over a building entry if the appropriate clearance is provided. Hanging signs can be particularly useful for storefronts that have multiple tenants.
3. **Location and Number.** Hanging or suspended signs must be attached to building facades that have a public entrance and must maintain a minimum clearance of eight (8) feet above any public right-of-way or private sidewalk area. One hanging or suspended sign is allowed per tenant space.
4. **Size.** Hanging signs may have a maximum area of eight (8) square feet, and a maximum of twelve (12) inches in height.
5. **Zoning.** Hanging and suspended signs are allowed in Village, Corporate Commercial and Commercial Highway zoning districts.
6. **Exception:** The Planning Board, at its' determination through Site Plan Review, may determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.

F. Monument Signs.

1. **Definition.** A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles. The base of the sign structure shall be on the ground or a maximum of twelve (12) inches above the adjacent grade. The width of the top of the sign shall not be greater than the width of the bottom of the sign.
2. **Signage Guidelines.** Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people that are trying to identify the use. Monument signs have a solid base that the sign face is installed upon. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the building on the site. They are typically oriented perpendicular to the adjacent street and sidewalk and have a maximum of two (2) parallel sign faces. Monument signs provide opportunities for landscaping to enhance their appearance.
3. **Location and Number Permitted.** Monument signs are subject to the setback requirement is section 1.6 C. Only one monument sign is permitted per parcel.
4. **Size.** Monument signs may be a maximum of forty (40) square feet in the FUR and V districts, and a maximum of sixty (60) in the CH and CC districts. The maximum height of a monument sign is six (6) feet, from the adjacent grade, in all districts. Where two (2) or more uses are located on the same premises, the sign area for monument signs must be shared. The largest single sign face is used to calculate the area of monument signs.
5. **Zoning.** Monument signs are allowed in all zoning districts.

G. Freestanding Post Signs.

1. **Definition.** A freestanding sign supported primarily by two support poles. The base of the sign structure shall be on the ground or a maximum of twelve (12) inches above the adjacent grade. The width of the top of the sign shall not be greater than the width of the bottom of the sign.
2. **Signage Guidelines.** Freestanding post signs are primarily used to identify office uses, especially where a former residence has been converted into an office. They are similar to monument signs, except they do not have a base other than the support posts, they usually have a single sign face, and they are usually oriented parallel to the

sidewalk instead of perpendicular. The colors and materials used for the sign must be compatible with the associated building design. Lettering should be carved, routed or applied as opposed to painted on a flat board.

3. **Location and Number.** Monument signs are subject to the setback requirement is section 1.6 C. Only one (1) monument sign is permitted per premises, per street frontage.
4. **Size.** The maximum sign area for freestanding post signs is thirty-two (32) square feet. Freestanding post signs shall not be taller than ten (10) feet, measured from the ground to the top of the sign structure. Where two (2) or more uses are located on the same premises, the sign area for freestanding post signs must be shared.
5. **Zoning.** Freestanding post signs are allowed in all zoning districts.

H. Multi-Tenant Signs.

1. **Definition.** A freestanding sign used to advertise businesses that occupy a shopping center or complex of two (2) or more tenants located on the same parcel.
2. **Signage Guidelines.** Multi-Tenant Signs are used for multi-tenant buildings, or parcels, to provide a directory of tenants within a building or parcel. These signs should be compatible with the design of the development. Larger developments with more than five (5) tenants should avoid listing individual tenants, other than project anchors, to avoid sign clutter. The sign structure should contain elements of the design theme of the building, or buildings, within the development.
3. **Location and Number.** One (1) Multi-Tenant sign may be located on each major street frontage, with an entrance to the property, of a development.
4. **Size.** Multi-Tenant signs may have a maximum area of ninety-six (96) square feet in the CC, CH and V districts and thirty-two (32) square feet in the FUR district. Multi-Tenant signs may have a maximum height of twelve (12) feet in the CC, CH and V districts and eight (8) feet in the FUR district
5. **Zoning.** Multi-Tenant signs may be located in all zoning districts.

I. Residential Subdivision Signs.

1. **Definition.** A permanent sign at the entrance of a residential neighborhood identifying the neighborhood.
2. **Signage Guidelines.** The purpose of residential Subdivision signs is to identify the name of a subdivision, provided the subdivision is not an in-fill project within an established neighborhood. They are usually monument signs or wall signs placed on a wall feature in a landscaped open space area at the entry of the development.

2a. Temporary Subdivision Signs. Signs that advertise the subdivision and lots available are allowed, but all temporary signs shall be removed at the time the road is accepted at Town Meeting.

3. **Location and Number.** One (1) permanent residential subdivision sign is allowed at each entrance of a subdivision. These signs are not permitted unless they are located within a landscaped area that is maintained by a homeowner's association.
4. **Size.** Each sign may be up to twenty (20) square feet and shall not be taller than six (6) feet, measured from the ground to the top of the sign structure
5. **Zoning.** Residential subdivision signs are allowed in all zones.

1.6 ADDITIONAL SIGN STANDARDS

- A. **Number of Signs.** A non-residential parcel may have one sign attached to the building (Wall Sign, Awning Sign, Projecting Sign, or Hanging or Suspended Sign) and one free standing sign (Monument Sign, Freestanding Post Sign, Pole Sign or Multi-Tenant Sign). Window Signs do not count towards the sign total.
- B. **Sightlines.** No sign shall project within the limits of a Town or State Right-of-Way (except when put up by the State or Town authorities having jurisdiction over such highway) or be placed so as to obstruct the view at any highway intersection or so as to endanger traffic.
- C. **Setbacks.** All signs must be set back at least ten (10) feet from all side property lines. A sign must not impair a motorist's visibility of oncoming traffic. Signs over three (3) feet tall are not allowed in the triangle depicted below. At actual intersections, this area will likely not be a right triangle.
- D. **Visibility of Letters and Numbers.** Letters and numbers on a sign shall be clearly visible. Letters of the name of the business or product advertised shall be consistent with the Manual on Uniform Traffic Control

Devices, but may be larger. It is recommended that business owners convey a clear simple message containing the name of the business and the nature of the business and avoid secondary information where possible.

- E. **Illumination.** Signs should be lighted only to the minimum level required for nighttime readability. The intent is to light only the sign, and not create glare onto adjacent properties or onto the right of way. All external light sources shall be white. Lighting that is directed toward a sign shall be designed and shielded so that it illuminates the face of the sign and does not shine beyond the edge of the sign. Internal illumination of an entire sign panel is discouraged. If internal illumination is used, a system that backlights sign text only is required. The Planning Board may set the hours that a sign is illuminated.
- F. **Special Event signs.** Temporary signs for business-related special events or promotions shall be allowed for a period not to exceed fourteen days and not more frequently than once (1) a year, and they are subject to these restrictions:
 - 1) They shall be placed on private property only, not in public rights of way.
 - 2) They shall in no way impede sightlines at any driveway entrance or exit.
 - 3) They shall be no larger than twenty four (24) inches wide by thirty six (36) inches high. (This does not apply to persons or animals serving as animated signs.)
 - 4) No electrical devices shall be used in conjunction with these types of signs.
 - 5) A maximum of one such sign shall be allowed per business.
 - 6) The signs shall be removed each day when the business is not operating.
- G. **Seasonal signs.** Temporary signs that advertise a seasonal event, activity, or harvested product, such as but not limited to “ice skating” or “pumpkins” shall be allowed for a period not to exceed one month. Seasonal signs must be durable in nature, and shall be no larger than thirty (30) square feet. A business may be allowed on seasonal sign in addition to other allowed existing signs. Seasonal signs must meet all other restrictions concerning sightlines, height, and placement concerning ground and wall signs.
- H. **Non-Permitted Signs.** Sign types that are not specifically allowed under this ordinance are forbidden.

1.7 PERMITTING

All proposed signs shall be identified on incoming plan sets, and receive approval of the Planning Board. Existing signs that are allowed by permit (section 1.5) may be modified or changed with a permit issued by the Building Inspector. Changing the location of an existing sign, not attached to a building, requires the approval of the Planning Board.

1.8 INSPECTION AND COMPLIANCE

It shall be the responsibility of the Building Inspector or Code Enforcement Officer to ensure compliance with this ordinance within the Town of Fremont.

1.9 NOTICE

If the Building Inspector finds that any sign does not comply with this ordinance or is in his/her opinion unsafe, or in disrepair, then he/she shall immediately notify the owners to correct the improper condition. Owners who do not correct the provision shall be found in violation of this zoning ordinance and any such sign shall be declared a public nuisance, and after ninety (90) days the Town, at its sole discretion, may remove the sign at the owner’s expense.

1.10 NON-CONFORMING STRUCTURE

All legally existing signs which did not conform to the provisions of this ordinance on March, 2008, shall be considered legally existing, non-conforming signs.

1.11 FINES

- 1. Any violation of this Ordinance is punishable by a civil penalty of two hundred and seventy five (\$275)

dollars for the first offence and five hundred and fifty (\$550) dollars for subsequent offences for each day that such violation is found by the court to continue after conviction date or after the date on which the violator receives written notice from the municipality that he is in violation of the ordinance, whichever date is earlier. The provisions of RSA 676:17 II, III, IV and V are incorporated as part of this section.

Mr. Barham reiterated the changes that were made to this ordinance at the December 19, 2007 first Public Hearing which were:

1. 1.5-D – Projecting Signs: add #6 to read; *Exception: The Planning Board, at its' determination through Site Plan Review, may determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.*
2. 1.5-E – Hanging and Suspended Signs: add #6 to read; *Exception: The Planning Board, at its' determination through Site Plan Review, may determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.*

After some discussion relative to clarification, Mr. Karcz made the motion to add the words *allow for and between* “may” and “determine” under 1.5 D-6 (to be renumbered as 1.5-D-5-A) and 1.5 E-6 (to be renumbered as 1.5-E-5.A) so each of those sections read in part “*may allow for and determine the appropriate location*”.

Motion seconded by Mr. Pitkin with unanimous favorable vote.

After careful consideration by the Board Mr. Holmes made the motion that the Planning Board approve the proposed zoning amendment replacement to “sign types” in the Fremont Zoning Ordinance currently Article III Section 3 including the minor amendments as voted above.

Motion seconded by Mr. Karcz with unanimous favorable vote.

It was agreed that a sample picture of each type of sign would be included in its respective section.

At 7:50 pm Mr. Holmes made the motion to close this public hearing.

Motion seconded by Mr. Karcz with unanimous favorable vote.

REGULATION AMENDMENTS

Public present: Jack Downing

Mr. Barham opened this Public Hearing at 7:50 pm and read the public notice of the hearing which was as follows:

In accordance with NH RSA 675:6 and 675:7, you are hereby notified that the Fremont Planning Board will hold a Public Hearing on Wednesday January 9, 2008 at 7:30 p.m. in the downstairs Land Use Meeting Room of the Fremont Town Hall for the purpose of amending the Fremont Driveway Regulations, Excavation Regulations and Subdivision Regulations.

The full text of the proposed regulation amendments will posted at the Fremont Town Hall, Library, Safety complex, and Post office and on file in the offices of the Fremont Selectmen, Planning/Zoning and Town Clerk and can be viewed during regular business hours.

Driveway Regulations:

Article 5 Section 10: change “20’ ” to 30’ in the first sentence and add *whichever is greater to the end of that sentence*; change “such” to *shall* in the second sentence. The section would then read in part “Where required, culverts must be a minimum of twelve (12)” inch HDPE (or sufficiently similar material) and a *minimum* of thirty (30) feet long and/or extend at least five (5) feet from the edge of pavement or gravel, *whichever is greater*. Such culverts *shall* have an HDPE flare attached or similarly constructed material approved by the Planning Board and/or designee.”

After careful consideration Mr. Pitkin made the motion to amend the Fremont Driveway Regulations as proposed.

Motion seconded by Mr. Karcz with unanimous favorable vote.

Excavation Regulations:

1. Art 3.5.1-C: add - “*and such operation shall further be subject to Site Plan Review.*”
2. Art 4.2 –paragraph 1: replace “6 sets of plans” with *6 full size and 8 11” x 17” sets of plans, at least two of which will be colored. All plans are required to be drawn by a NH licensed Land Surveyor or professional engineer.*
3. Article 4.2: paragraph 2, after sentence 1; add- *A duplicate of the application and plans shall be sent to the Town Engineer and Rockingham Planning Commission for review of completeness at the time of application to the Planning Board”.*
4. Article 4.3.1: delete “new” and add - “*without reclamation*” at the end of the sentence. Move the balance of the article to a newly created Art 4.3.9.
5. Article 4.3.9: add new - *Any permitted excavation shall be reclaimed according to the approved application within one (1) year after the permit expiration date. If reclamation is not completed within one (1) year after the permit expiration date, the Town may declare part or all of the bond forfeited, and use these monies to reclaim the site.*
6. Article 12.7: add new- *Notice of Decision with deed reference to be recorded at the Registry of Deeds by the Planning Board Secretary or designee.*
7. Article 12 Sec 8: add new - *All mylars to be recorded must be pre-approved by Registry of Deeds.*
8. Article 13; 13.1.2: amend to - *Upon the filing of an application and within 60 days, the Planning Board will perform an inspection of the excavation site to check the operation and to order any necessary work to be completed by the expiration date in order to be in compliance with the terms of the permit and this ordinance.*
9. Article 14: sentence 2 –add - *in the form of a cash escrow or irrevocable letter of credit* - after “the surety amount shall be ‘.

After careful consideration Mr. Pitkin made the motion to amend the Fremont Excavation Regulations as proposed.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Subdivision Regulations:

1. Article II Section 1: paragraph 4 - add - *and the Town Engineer* - after “Commission”
2. Article II Section 7: replace “seventy two (72)” with - *one hundred and forty four (144)* and add - *Notice of Decision, with deed reference, will be recorded at the Registry of Deeds by the Planning Board Secretary or designee.*
3. Article II: add new Section 9-A - *All mylars to be recorded must be pre-approved by Rockingham Registry of Deeds.*

4. Article III Section 2D: sentence 1- replace “6 copies of the plans” with - *6 full size and 8 11” x 17” sets of plans; at least two of the full size plans will be colored*”; and add - *All plans are required to be drawn by a NH licensed Land Surveyor or professional engineer.*
5. Article III Section 2E: add new - *One legible copy of each reference plan must be submitted with the application.*
6. Article III Section 3-L: replace “A High Intensity Soil Survey (HISS)” with *Site Specific Soils Mapping*
7. Article III Section 3-N: add - *street address, recorded deed book and page numbers.*
8. Article III Section 5-C: delete sentence 4
9. Article III Section 5-D: add new- *All Cisterns type and size must be stated and must be approved by the Fire Chief. A detailed plan must be submitted for approval.*
10. Article III Section 5-D: add new - *As a cost savings incentive and overall improvement to public safety and in lieu of the above, a sprinkled development or subdivision may be proposed.*
11. Article III: add new - Section 4-H-1; *Specify elevations for all culverts including driveways (see also Appendix A*
12. Article III Section 7: replace with *All new utilities shall be underground.*
13. Article III Section 9-C: add - *Open Space shall be required for park, playground or other recreational purposes for all subdivisions of ten (10) or more; or thirty (30) acres or more; or thirty (30) housing units or more.*
14. Article III Section 10.02-K: sentence 1 - add - *screened* prior to “loam”.
15. Article III Section 10.02.T: - change- base course for local and private from “2” inches to *2 ½ inches* and change wearing course for local and private from “1” inch to *1 ½ inches*.
16. Article III Sections 10.06-3, 4, 6, 8, 12, 14, & 16: - change - “observed by the Road Agent or the Towns Consulting Engineer” to “*observed by the Road Agent and the Towns Consulting Engineer*”
17. Article III Section 10.01-C-6: - change - “1990” to *current edition.*
18. Article III Section 10.01-C-7: - change - “August 1992” to *current edition.*
19. Article III Section 10-6-A-15-A: - add new - *The top coat shall be completed no later than three (3) years after the application of the base coat*
20. Article III Section 10-06-B-1: - add - *This is to be posted as a cash escrow in custody of the Town Treasurer through the Selectmen’s office.*
21. Article III Section 10-06-C: sentence 2 –add-“*cash*” before “escrow”
22. Article III Section 10-08: - add - *The Road Agent and Consulting Engineer shall also submit to the Board of Selectmen written verification that all required improvements have been satisfactorily completed.*
23. Article IV Section 1-A:
 - end of paragraph 1 - add - *and infrastructure within the development.*
 - paragraph 2 sentence 1 - add - *including engineering and engineering contingencies.*
 - paragraph 3 – replace “Board” with *Board of Selectmen*
 - paragraph 4, #1 - add - *through the Selectmen’s Office.*
 - paragraph 4, # 2- *Delete*
 - paragraph 4, #3 - renumber to #2 and change to - *An Irrevocable Letter of Credit in an amount and manner acceptable to the Board of Selectmen. Sample forms of acceptable Letters of Credit are available through the Selectmen’s office.*
24. Article IV Section 1-B: paragraph 1; - add - *or its qualified agents.*
 - paragraph 4; sentence 1 - add- *in writing* to sentence #1 after “certified”.
 - paragraph 6; sentence 1 – add- *in writing* to sentence #1 after “shall certify”;
 - replace - “Town’s Building Inspector, Code Enforcement Officer, or designee”

- with *project engineer or the Boards designee*;
sentence 2 – add- in *writing* after “shall certify”.
25. Article IV Section 1-C: sentence 2 - add – *cash* after “require a”
sentence 2 – add – *and following acceptance at Town Meeting*.
sentence 3 – add- *or paid for by the developer*.
26. Article IV Section 1-D: - add new; **Fines:** *The provisions of RSA 676:17 shall be applicable. This is specific to include offsite nuisances determined to be generated from the site whether approved or not approved.*
27. Article IV Section 4-L: - add new - *All mylars to be recorded must be pre-approved by Rockingham Registry of Deeds and proof of such approval must be submitted.*
28. Article III Section 10-6-A-15-A: - add new - *The top coat shall be completed no later than three (3) years after the application of the base coat.*

After careful consideration Mr. Holmes made the motion to amend the Fremont Subdivision Regulations as proposed.

Motion seconded by Mr. Pitkin with unanimous favorable vote.

At 8:10 pm Mr. Karcz made the motion to close this public hearing.

Motion seconded by Mr. Holmes with unanimous favorable vote.

MASTER PLAN

Mr. Barham stated that the Master Plan is moving forward as follows:

1. The Land Use Chapter of the Master Plan will be updated through the RPC Targeted Block Grant that has been awarded for 2007.
2. The Housing Chapter of the Master Plan will be updated with funds supplied through the Community Technical Assistance Program (CTAP) grant that has been awarded. Mr. West stated that to his knowledge those funds have not yet been received and he will check on it again.
3. The Natural Resources Inventory chapter text is finished except for the maps, which are in the process of being updated. It was noted that Robert Pruyne of RPC was given the project of updating the NRI maps with a completion date of October 31, 2007. Due to time constraints Fremont’s RPC Circuit Rider David West has taken over the project and he stated that the maps should be done soon. Mr. West stated that GRANIT has updated the State listing of Conservation lands and he used their information and information from the last NRI maps to complete the updated maps. There was a general discussion relative to Conservation Easement locations.
4. The Historical Resources Chapter is ready for approval and can be added to those chapters for approval by the Board at a Public Hearing.
5. The Recreation Chapter will soon be ready for approval and can be added to those chapters for approved by the Board at a Public Hearing.
6. The Transportation Chapter will be updated by RPC. This has been contracted using a matching funds grant through RPC.
7. The Community Facilities Chapter is in the process of being completed by Mr. West. This is slightly over the December 31, 2007 completion date due to waiting for information to be provided by the Police Department and the School Board.

FLOOD ZONE/AQUIFER/FLOOD MAP

There was a discussion relative to the addition of the zoning districts to the existing Flood Zone/Aquifer Protection Map done by RPC in January of 2005. Mr. West agreed to superimpose outlines of the zones on the map and indicate the red roads in red.

GOVERNOR'S FOREST

Map 3 Lot 002

Mr. Barham read a January 3, 2008 correspondence that the Board received from Martin Ferwerda relative to the definition of the terms "modular home" and "manufactured or mobile home" as it pertains to Governor's Forest. There was a conversation relative to the fact that manufactured and mobile homes are the same thing. The Members agreed with Mr. Karcz that mobile is a synonym for manufactured as it pertains to housing. There was a conversation relative to the difference between modular and manufactured/mobile. The May 8, 2002 notice of decision for the Governor's Forest project is for a "manufactured home community". Mr. Roy pointed out that manufactured homes were called mobile homes at the time of the ordinance under which Governor's Forest was approved.

It was the consensus of the Board the Planning Board stand by their October 24, 2007 decision that Governor's Forest currently has an approved site plan for manufactured housing and any alternative to that approved plan will require an amendment to that approved plan. It was agreed to send Mr. Ferwerda a correspondence advising him of the Board's consensus and to include a copy of May 8, 2002 notice of decision for the Governor's Forest project.

KINGMAN COURT

Mr. Barham reported that the Board has received a December 31, 2007 written statement from Road Agent Guerwood Holmes in which he verified that he has inspected the Kingman Court road and recommended the release of the two year maintenance bond. The Board previously received a November 28, 2007 correspondence from the builder Shawn Senter requesting the road bond to be released for Kingman Court. The letter was signed by Mr. Senter and co-signed by Mr. Holmes. This road was accepted at the March 2005 Town Meeting. Mr. Bolduc stated that the Selectmen have viewed Kingman Court and were satisfied with the construction.

With little more discussion Mr. Pitkin made the motion that the Planning Board approve and recommend the release of the remaining two year road maintenance bond for Kingman Court. Motion seconded by Mr. Karcz with unanimous favorable vote.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

Mr. Barham reported that CIP worksheets have been received from the Fire Department, Historical Society and Conservation Commission to date. Other departments are expected to submit their worksheets soon as the completion date is January 15, 2008.

IAONNIS KAKOURIS / ROBERT PREMONT

Map 3 Lot 119

The Board received a comment sheet and plan from the ZBA relative to Iannnis Kakouris & Robert Premont, Map 3 Lot 119, 431 Main Street for:

1. Special Exception to the terms of Article IX Section H of the Fremont Zoning Ordinance to allow an existing access way previously approved as a septic/leaching field access way, which passes through a watershed protection district, to include use as a residential driveway. There will be no further filling of wetland.

2. Area Variance to the terms of Article IV Section 2 of the Fremont Zoning Ordinance to allow a building lot to be created with no frontage on a Federal, State or Town highway.

The Board viewed the plan submitted with the ZBA application showing the location of an accessway that was previously granted a Special Exception to allow Dredge & Fill for a wetlands crossing associated with a new leach field. The plan also showed the location of a Conservation Easement that is currently attached to the property. It was noted that there is some confusion as to the actual easement area and whether it is 250' along the Exeter River as shown on the plan or the entire property as described in Schedule A of the Easement Deed. The Conservation Commission also received a comment sheet and plan from the ZBA at their January 7, 2007 meeting and voted to have Town Counsel review the Easement Deed for clarification.

There was some discussion relative to alternative uses for this property that would not include subdivision. After some consideration the Board Members agreed that they had concerns relative to creating a building lot with no frontage and that they may view the plan more favorably if there were at least some frontage. The comment sheet reflected these concerns.

DELOVO, LLC

Map 7 Lot 070

The Board received from the ZBA a comment sheet and a drawn plan relative to Delovo, LLC, Map 7 Lot 070, 58 Riverside Drive for an Equitable Waiver of Dimensional Requirements to be allowed to maintain the location of an existing deck closer than twenty (20) feet from a rear lot line and existing steps closer than thirty (30) feet to a street property line. The Members had no comment.

BUDGET

The Board reviewed the General Ledger Expenditure Report for the date ending December 28, 2007.

CORRESPONDENCE

1. A copy of a January 7, 2008 correspondence from Fire Chief Richard Heselton to Gristmill, LLC relating that he is "pleased with the concept and design with the large water main and hydrant feeding from large cistern".

Mr. Pitkin made the motion to adjourn at 10:10 pm.

Motion seconded by Mr. Bolduc with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary

